

REMARKS

The Title of the Invention has been amended.

The specification has been amended.

All claims in the prior application have been canceled. New claim 5 has been added.

Claim 5 is now pending in the present application.

The Applicant thanks the Examiner for the effort expended in examining the present patent application. The Applicant respectfully requests reconsideration and reexamination of the now pending claim. In addition to the above amendments, the Applicant makes the following remarks regarding individual issues:

* Amendments after Final Rejection should NOT be entered:

The present request for CPA consciously does not make the (otherwise customary) request that amendments made after the Final Office Action dated be entered. Accordingly prosecution resumes as of the time of the Final Office Action, mailed 9-18-97 (paper #8).

* Labeling of this and possibly subsequent Amendments:

It is customary that the first Amendment in a prosecution is labeled Amendment A', the second one B', and so on, with the letters of the alphabet. This labeling convention has not been followed in the prosecution of the prior application. Given the state of the Attorney's records, the former amendments (some entered, some not) are not subject to an certain "count". The Applicant is mindful of the fact that, under the CPA procedure, all subsequently filed amendment documents will reside in the same file as the original. Therefore the Applicant is hereby arbitrarily labeling the present amendment as Amendment G', and resuming the "count"

from that letter on.

* Status of prior claims:

All prior claims have been canceled. Specifically, rejected Claim 1 was implicitly canceled by the Applicant, when submitting two new claims in an amendment filed on 7-23-97. In that amendment the Applicant entered two new claims, which the Examiner numbered 2 and 3. An amendment to these claims submitted after the Final Office Action in the prior application was not entered. In any event, these claims 2 and 3 have been canceled by the present amendment. Further, the Applicant introduced Claim 4 in an amendment that was filed on 10-16-97 (i.e. after the Final Office Action), but was not entered. Claim 4 should not be entered by the present filing of a CPA.

* Indicating Deletions:

In making amendments in the prior application, the pro se applicant inadvertently used parentheses instead of brackets to indicate deletions. In a telephone call with the Applicant's Attorney, the Examiner indicated that the parentheses had been interpreted as deletions. The Applicant appreciates the accommodation by the Examiner. Brackets will be used from now on to indicate deletions.

* The objection to the specification based on 35 U.S.C. § 132:

In paragraph 2 of the Final Office Action, the Examiner objected to the specification as introducing new matter in the disclosure.

The objection is respectfully traversed in part, although it is believed that the objection has been overcome by the present amendment to the specification.

Specifically, the Applicant asserts that some of this material is implicitly disclosed by the original specification as follows:

- a) The requirement that the ring be "a few thousandths of an inch larger" ... (referring to the diameter of the inner surface) is supported at least by FIG. 3 and the general knowledge of the dimensions of recorders.
- b) The use of a "thin cloth material" for a strap is a well known equivalent.
- c) The use of a "simple over hand knot" is evident at least from FIG. 2.

Nevertheless, in the present amendment to the specification, this material has been deleted. For the reasons cited above, the Applicant does not regard its explicit mention as necessary to disclose and/or practice the invention.

The Applicant does not traverse the objection as to the last item cited by the Examiner, and has amended the application throughout to reflect such.

It is believed that the specification now complies with 35 U.S.C. § 132.

* The rejection of the prior claims based on 35 U.S.C. § 103(a):

In paragraphs 6 and 7 of the Final Office Action, the Examiner rejected the claims based on 35 U.S.C. § 103(a) as unpatentable over U.S. Patent # 4,674,298 to Wimmershoff-Caplan ("Wimmershoff-Caplan") in view of the Applicant's stated prior art.

The Applicant does not know whether the rejection is extended to new claim 5. In any event, the Applicant believes that the rejection should not be so extended because claim 5 specifically limits the relevant art to suspending recorders.

In addition, the added limitation about the radial thickness of the ring of the invention being at least 1/8" thick distinguishes the present invention from Wimmershoff-Caplan. Indeed, a ring that is this thick would not fit between pen cap 12 and clip 13 of Wimmershoff-Caplan.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are either in condition for allowance or in improved form for appeal. The Applicant earnestly solicits favorable action.

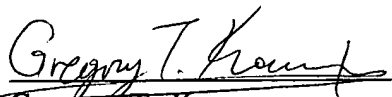
INQUIRY AS TO STATUS OF DRAWINGS

Along with one of the Applicant's prior Amendments, the Applicant submitted formal drawings. The Applicant's Attorney is unable to find a confirmation such as a Draftsman Review Letter in the file. The Applicant inquires as to whether the formal drawings have been received and approved.

APPLICANT'S TIME TO RESPOND

A Petition for (additional) Extension of Time is included this transmittal letter of this document, along with payment of a fee. The fee payment is in the form of a check and/or authorization to charge a Deposit Account.

Respectfully submitted,



Gregory T. Kavounas
PTO Reg. No.: 37,862
Attorney for Applicant
Suite 16B
11654 S.W. Pacific Highway
Tigard, OR 97223

2-6-98
(date)

tel: (503) 684-5800
fax: (503) 968-8775